

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 S, Closed Area No. 44, Southern Mount Desert Island and the Cranberry Isles; promulgated on November 7, 2000, is repealed and replaced with the following rule:

TEXT OF RULE: 95.04 S, Closed Area No. 44, Northeast Harbor and Bracy Cove.

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Northeast Harbor and Bracy Cove, inland of a line beginning at the base of a pier on the shore 120 yards north of the mouth of Hadlock stream, Northeast Harbor, then running southwest to Jesuit Spring Point, then southeast to Sand Point, Greening Island and along the high tide line on the northeast side of the island to Eastern Point, then northeast to Crowninshield Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: July 16, 2004

AGENCY CONTACT PERSON: Amy Fitzpatrick
Department of Marine Resources
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BANGOR DAILY NEWS
July 20, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 S, Closed Area No. 44, Southern Mount Desert Island and the Cranberry Isles; promulgated on November 7, 2000, and replaces it with a new regulation, which decreases the size of the shellfish closure. That part of the former Closed Area 44 encompassing Sutton, Great Cranberry, and Little Cranberry Islands, will remain closed under new regulations C45, C45A, and C45B respectively.

Department personnel have surveyed the area and determined that past pollution threats no longer exist. This new closure opens shoreline in Western Way and the waters between the Cranberry Islands, Sutton Island and Greening Island.



DAVID ETNIER
DEPUTY COMMISSIONER

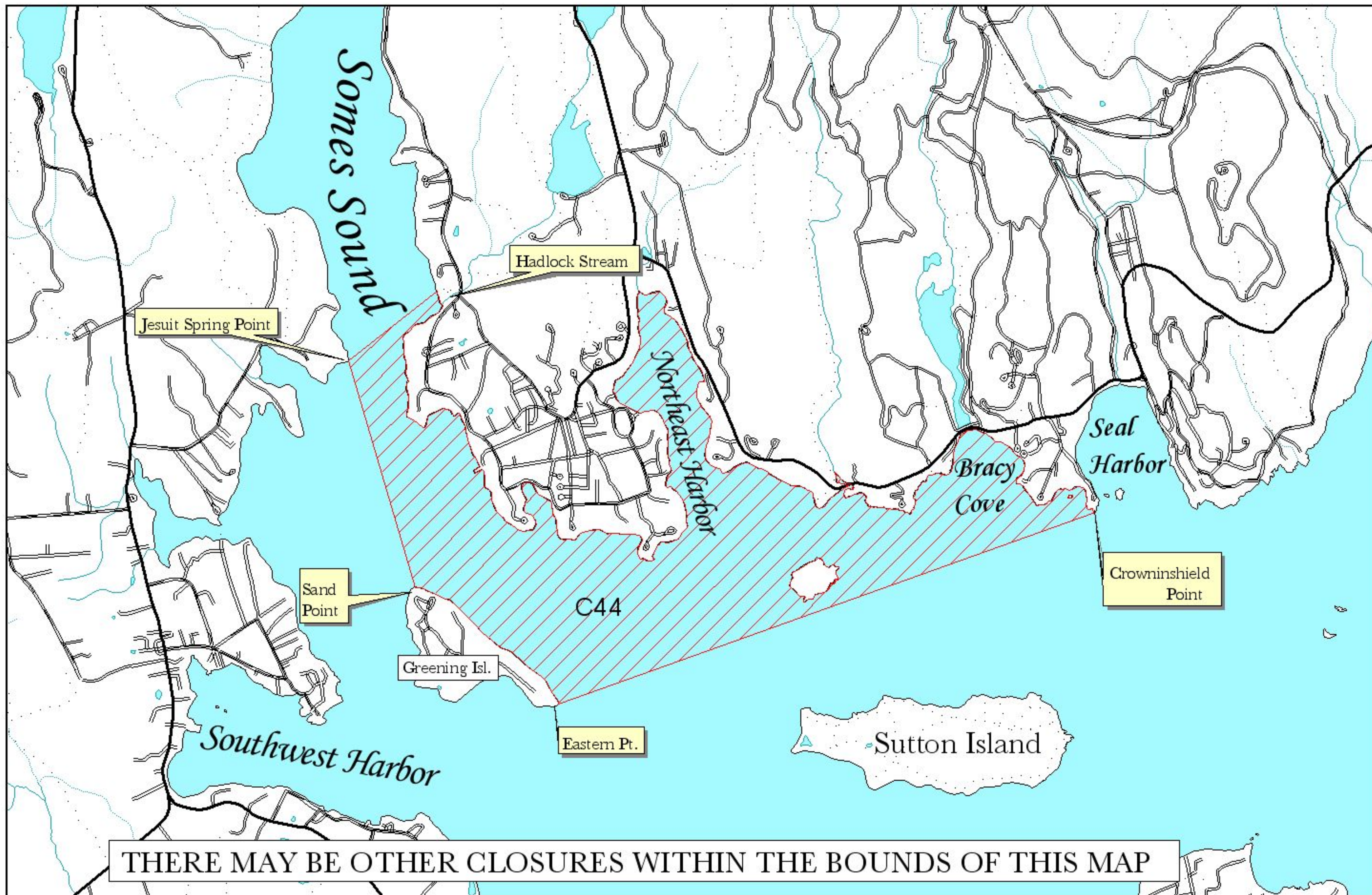
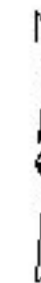


Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Cranberry Isles, Mount Desert, & Southwest Harbor

C44 - Northeast Harbor and Bracy Cove 7/16/04



THERE MAY BE OTHER CLOSURES WITHIN THE BOUNDS OF THIS MAP

900 0 900 1800 Yards